

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

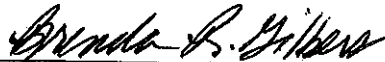
The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

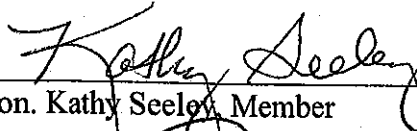
Done in open Court this 8th day of April, 2016.

DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



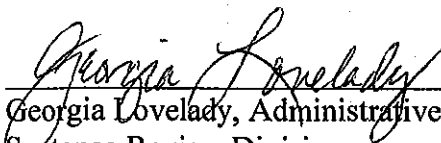
Hon. Kathy Seeley, Member



Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Arista Marie Anderson #3011797, Defendant (2)
Hon. Heidi Ulbricht
Peter Ohman, Defense Counsel
Stacy Boman, Esq.
Board of Pardons and Parole
MWP - Records Dept.



Georgia Lovelady, Administrative Assistant
Sentence Review Division

STATE OF MONTANA,

-VS-

Defendant.

DECISION

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

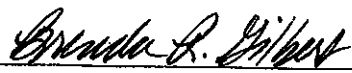
The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.


Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.


Done in open Court this 8th day of April, 2016.

DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION

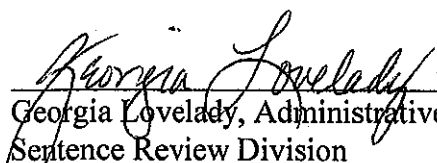

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Seeley, Member


Hon. Brad Newman, Member

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of May, 2016, to:

Clerk of District Court (Original)
Arista Marie Anderson #3011797, Defendant (2)
Hon. Heidi Ulbricht
Peter Ohman, Defense Counsel
Stacy Boman, Esq.
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana First Judicial District Court, County of Lewis and Clark

STATE OF MONTANA,

Plaintiff,

-VS-

CYNTHIA MARIE CARSEN,

Defendant.

CAUSE NO. DC-09-145

DECISION

On September 26, 2013, the Defendant's suspended sentence was revoked and she was sentenced to the Montana Department of Corrections for a term of five (5) years, for the offense of Fraudulently Obtaining Dangerous Drugs (Dextroamphetamine), a Felony. The Defendant was given credit for time served prior to sentencing for the following: April 17-19, 2013; June 19, 2013 – July 12, 2013; August 21-30, 2013; September 20-26, 2013.

The Department had discretion to place the defendant into an appropriate community-based program, facility, or a State correctional institution, with the Court's recommendation that she be placed at Passages for screening for appropriate chemical dependency treatment, followed by a pre-release center program. If the defendant was granted an early release, the Court recommended that all previously imposed conditions of defendant's sentence remain in full force and effect.

On April 8, 2016, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant appeared by video conferencing from the Butte Pre-Release Center and was represented by Peter Ohman of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

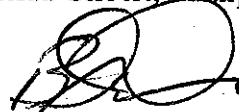
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

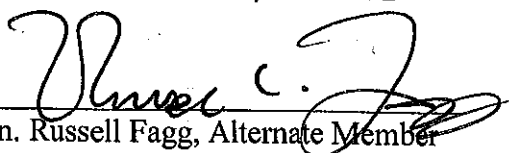
Done in open Court this 8th day of April, 2016.

DATED this 5th day of May, 2016.

SENTENCE REVIEW DIVISION

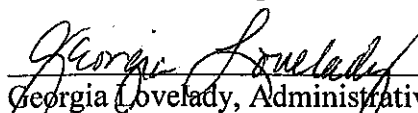

Hon. Brenda Gilbert, Chairperson


Hon. Brad Newman, Member


Hon. Russell Fagg, Alternate Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Cynthia Marie Carsen #2083070, Defendant (2)
Hon. Kathy Seeley
Peter Ohman, Defense Counsel
Lisa Leckie, Deputy County Attorney
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Twelfth Judicial District Court, County of Hill

STATE OF MONTANA,

Plaintiff,

-vs-

MAVIS LYNN COCHRAN,

Defendant.

CAUSE NO. DC-12-086

D E C I S I O N

On August 10, 2015, the Court revoked the Defendant's suspended sentence for Count I: Theft, a felony, Count II: Driving under the Influence of Alcohol, 4th or subsequent offense, a felony; and Count III: Driving while Privilege to do so is Suspended/Revoked, a misdemeanor. The Court sentenced the Defendant to a commitment to the Department of Corrections for five (5) years, with a recommendation for placement in a treatment program such as Passages followed by pre-release. The Defendant was given credit for 114 days served and credit for 30 days street time at the Crystal Creek program. The Defendant was ordered to pay all previously imposed financial obligations by the sentencing court in the original Judgment entered August 12, 2013.

On April 8, 2016, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant appeared by video conferencing from the Butte Pre-Release program and was represented by Peter Ohman of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).


The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

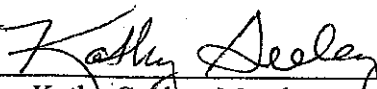
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

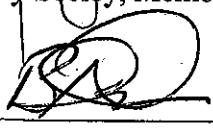
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DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION

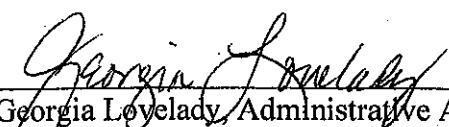

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Seeley, Member


Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Mavis Lynn Cochran #41819, Defendant (2)
Hon. Daniel A. Boucher
Peter Ohman, Defense Counsel
Gina Dahl, Esq.
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana First Judicial District Court, County of Lewis and Clark

STATE OF MONTANA,

Plaintiff,

-vs-

MICHELLE COLLER GABLE,

Defendant.

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CAUSE NO. DC-11-289

APPLICATION DISMISSED
WITHOUT PREJUDICE

On March 1, 2013, for the felony offense of Count I: Deliberate Homicide (of Sunday Cooley Bennett), the Defendant was sentenced to the Montana Women's Prison for one hundred (100) years. For the felony offense of Count II: Deliberate Homicide (of Joseph Andrew Gable), the Defendant was sentenced to the Montana Women's Prison for one hundred (100) years. The sentence imposed for Count II was ordered to run consecutively to the sentence imposed for Count I.

On April 8, 2016, Defendant's Application for review of that sentence was scheduled to be heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division") at the Montana Women's Prison in Billings, Montana.

Defendant was present and was represented by Peter Ohman of the Office of the State Public Defender. The State was not represented.


Before hearing the Application, Defense Counsel informed the Division that the Defendant was planning to file for post-conviction relief. The Division advised the Defendant and her Counsel that it does not have the authority to review a sentence until it is final – that is, after all appeals and post-conviction relief have been completed. Defendant was further advised that she may re-apply for sentence review sixty (60) days after her post-conviction relief is completed. Completion of Defendant's post-conviction relief includes the entry of any order denying her petition for post-conviction relief. Peter Ohman stated that he would not be the attorney filing for post-conviction relief and that the Defendant was proceeding pro-se.


Therefore, it is the unanimous decision of the Division that Defendant's Application in this matter is DISMISSED WITHOUT PREJUDICE. Defendant may re-file her Application with the Lewis and Clark County Clerk of District Court within 60 days from the date of completion of all Montana State post-conviction proceedings, in accordance with Rule 2, Rules of the Sentence Review Division of the Montana Supreme Court.


Done in open Court this 8th day of April, 2016.

DATED this 5th day of May, 2016.

SENTENCE REVIEW DIVISION

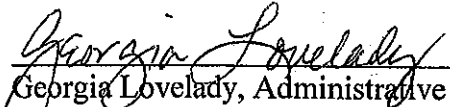

Hon. Brenda Gilbert, Chairperson


Hon. Brad Newman, Member


Hon. Russell Fagg, Alternate Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Michelle Collier Gable #3011379, Defendant (2)
Hon. Kathy Seeley
Peter Ohman, Defense Counsel
Lewis and Clark County Attorney
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana First Judicial District Court, County of Lewis and Clark

STATE OF MONTANA,

Plaintiff,

-vs-

KRISTY LYNN JACQUES,

Defendant.

CAUSE NO. DC-12-050

DECISION

On October 25, 2012, the Defendant was sentenced to a deferred sentence of three (3) years for the offense of Criminal Possession of Dangerous Drugs (Methamphetamine), a felony, in violation of §45-9-102. The Defendant was ordered to pay a fine of \$500 to the Missouri River Task Force.

On September 24, 2015, the Defendant's deferred sentence was revoked due to violations of conditions and she was sentenced to a commitment of five (5) years to the Department of Corrections for the offense of Count I: Criminal Possession of Dangerous Drugs (Methamphetamine), a Felony. The Court recommended the Defendant be placed in Elkhorn Treatment Facility, followed by Pre Release. All previously imposed conditions of Defendant's sentence were ordered to remain in full force and effect.

On April 8, 2016, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant appeared by video conferencing from the Elkhorn Treatment Center via the Jefferson County courthouse's Vision Net. She was represented by Peter Ohman of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

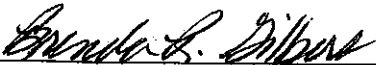
Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

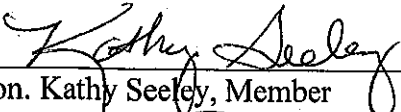
It is the unanimous decision of the Division that the sentence imposed is clearly excessive. The Division's decision is to amend the Judgment to **DECREASE the sentence to three (3) years to the Department of Corrections with no years suspended.** The reason for decreasing the sentence is that the Defendant initially received a three (3) year deferred sentence and at her revocation, received five (5) years, which is the maximum sentence for this offense. The record and Order Revoking Defendant's Deferred Sentence and Amended Judgment and Commitment do not provide any reasons for imposing the maximum sentence.


Done in open Court this 8th day of April, 2016.

DATED this 3 day of May 2016.

SENTENCE REVIEW DIVISION

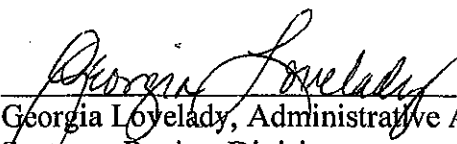

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Seeley, Member


Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Kristy Lynn Jacques #3010628, Defendant (2)
Hon. James Reynolds
Peter Ohman, Defense Counsel
Melissa Broch, Deputy County Attorney
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

STATE OF MONTANA,

-VS-

Defendant.

DECISION

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

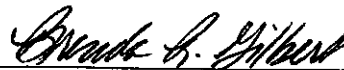
The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

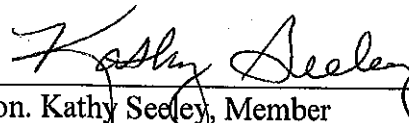
Done in open Court this 8th day of April, 2016.

DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



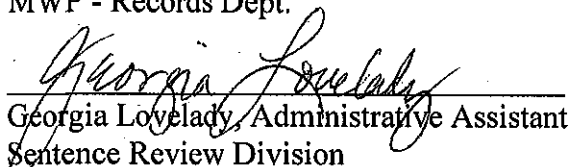
Hon. Kathy Sealey, Member



Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Laurrie Anne Jeakins #3004631, Defendant (2)
Hon. John Larson
Peter Ohman, Defense Counsel
Brian C. Lowney, Esq.
Board of Pardons and Parole
MWP - Records Dept.



Georgia Lovelady, Administrative Assistant
Sentence Review Division

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Twelfth Judicial District Court, County of Hill

STATE OF MONTANA,

Plaintiff,

-VS-

SUSAN MARIE MAGERA,

Defendant.

CAUSE NO. DC-09-108

DECISION

On November 30, 2015, the Defendant's suspended sentence was revoked and she was sentenced to the Department of Corrections for a period of two (2) years, for the offense of Criminal Distribution of Dangerous Drugs, a Felony. The Court recommended the Department of Corrections screen Defendant for placement in an appropriate treatment facility to address Defendant's serious mental health issues as well as her chemical dependency issues. Defendant was ordered to pay all fines, costs, fees, and any other financial obligations ordered by the sentencing court in the original Judgment entered July 15, 2010. Defendant received credit for thirty-two (32) days previously served. Defendant did not receive any credit for street time. The sentence in DC-09-108 was ordered to run concurrently with the sentences in DC-09-091, DC-09-092, and DC-09-093.

On April 8, 2016, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant was present and was represented by Peter Ohman, of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

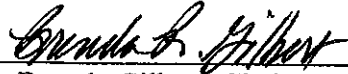
The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

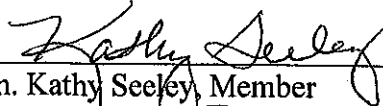
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DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



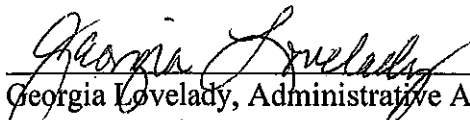
Hon. Kathy Seeley, Member



Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Susan M. Magera #3004582, Defendant (2)
Hon. Daniel A. Boucher
Peter Ohman, Defense Counsel
Gina Dahl, Esq.
Board of Pardons and Parole
MWP - Records Dept.



Georgia Lovelady, Administrative Assistant
Sentence Review Division

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Twelfth Judicial District Court, County of Hill

STATE OF MONTANA,

Plaintiff,

-VS-

SUSAN MARIE MAGERA,

Defendant.

CAUSE NO. DC-09-092

DECISION

On November 30, 2015, the Defendant's suspended sentence was revoked and she was sentenced to the Department of Corrections for a period of two (2) years, for the offense of Criminal Distribution of Dangerous Drugs, a Felony. The Court recommended the Department of Corrections screen Defendant for placement in an appropriate treatment facility to address Defendant's serious mental health issues as well as her chemical dependency issues. Defendant was ordered to pay all fines, costs, fees, and any other financial obligations ordered by the sentencing court in the original Judgment entered July 15, 2010. Defendant received credit for thirty-two (32) days previously served. Defendant did not receive any credit for street time. The sentence in DC-09-092 was ordered to run concurrently with the sentences in DC-09-091, DC-09-093, and DC-09-108.

On April 8, 2016, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant was present and was represented by Peter Ohman, of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

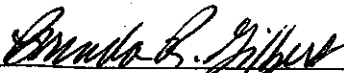
The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

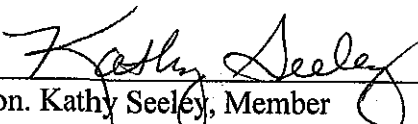
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.


Done in open Court this 8th day of April, 2016.

DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION

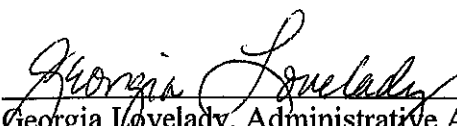

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Seeley, Member


Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Susan M. Magera #3004582, Defendant (2)
Hon. Daniel A. Boucher
Peter Ohman, Defense Counsel
Gina Dahl, Esq.
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Twelfth Judicial District Court, County of Hill

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-09-093
-vs-)	
)	DECISION
SUSAN MARIE MAGERA,)	
)	
Defendant.)	

On November 30, 2015, the Defendant's suspended sentence was revoked and she was sentenced to the Department of Corrections for a period of two (2) years, for the offense of Criminal Distribution of Dangerous Drugs, a Felony. The Court recommended the Department of Corrections screen Defendant for placement in an appropriate treatment facility to address Defendant's serious mental health issues as well as her chemical dependency issues. Defendant was ordered to pay all fines, costs, fees, and any other financial obligations ordered by the sentencing court in the original Judgment entered July 15, 2010. Defendant received credit for thirty-two (32) days previously served. Defendant did not receive any credit for street time. The sentence in DC-09-093 was ordered to run concurrently with the sentences in DC-09-091, DC-09-092, and DC-09-108.

On April 8, 2016, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant was present and was represented by Peter Ohman, of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

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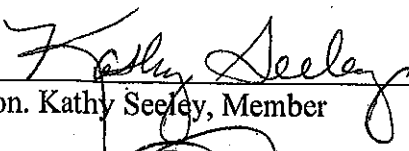
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

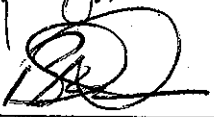
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DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION

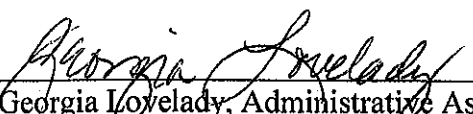

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Seeley, Member


Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Susan M. Magera #3004582, Defendant (2)
Hon. Daniel A. Boucher
Peter Ohman, Defense Counsel
Gina Dahl, Esq.
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).


The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

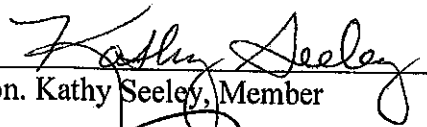
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.


Done in open Court this 8th day of April, 2016.

DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION

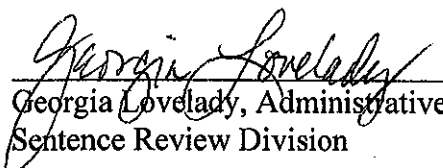

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Seeley, Member


Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Susan M. Magera #3004582, Defendant (2)
Hon. Daniel A. Boucher
Peter Ohman, Defense Counsel
Gina Dahl, Esq.
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

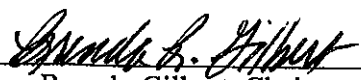
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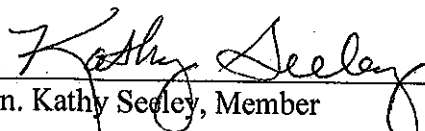
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.


Done in open Court this 8th day of April, 2016.

DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION

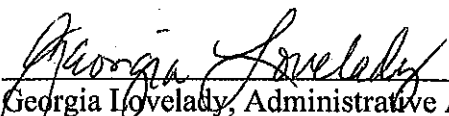

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Sealey, Member


Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Susan Maki Schaff #2044471, Defendant (2)
Hon. Rod Souza
Peter Ohman, Defense Counsel
Ingrid A. Rosenquist, County Attorney
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

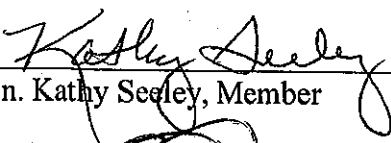
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.


Done in open Court this 8th day of April, 2016.

DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION

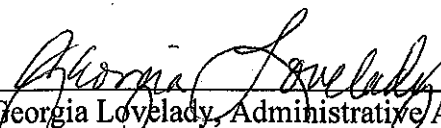

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Seeley, Member


Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Lanea Lynn Selage #3010038, Defendant (2)
Hon. Ingrid Gustafson
Peter Ohman, Defense Counsel
Brett Linneweber, Esq.
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Fifteenth Judicial District Court, County of Roosevelt

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-14-037
-vs-)	
)	DECISION
KELLY MARIE SEVERSON,)	
)	
Defendant.)	

On January 26, 2016, the Defendant was sentenced to a commitment to the Montana Department of Corrections for a term of ten (10) years, with eight (8) years suspended, for the offense of Count I: Criminal Possession with Intent to Distribute, a felony, in violation of §45-6-103, MCA. The Defendant shall be given credit for forty-three (43) days of time served. Count II: Criminal Distribution of Dangerous Drugs, a felony, in violation of §45-9-101; and Count III: Criminal Possession of Drug Paraphernalia, a misdemeanor, in violation of §45-10-103 were dismissed. The Notice of Persistent Felony Offender was withdrawn.

On April 8, 2016, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant appeared by video conferencing from the Choteau County Jail and was represented by Peter Ohman of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

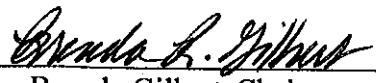
The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

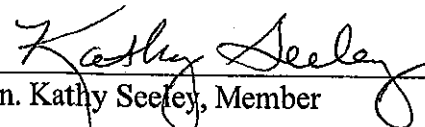
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.


Done in open Court this 8th day of April, 2016.

DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION

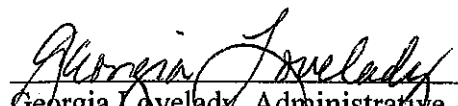

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Seeley, Member


Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Kelly Marie Severson #3018074, Defendant (2)
Hon. David J. Cybulski
Peter Ohman, Defense Counsel
Ralph Patch, Esq.
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Thirteenth Judicial District Court, County of Yellowstone

STATE OF MONTANA,

Plaintiff,

-VS-

CRYSTAL KAY SKINNER,

Defendant.

CAUSE NO. DC-08-462

DECISION

On September 14, 2015, the Defendant was sentenced to the Department of Corrections for eighteen (18) months for the offense of Burglary, a Felony, in violation of §45-6-204, MCA. In all other respects, the previous Orders, conditions, and reasons of the Court that were entered on March 23, 2009, remained unchanged and were re-imposed. The Court found the Defendant was not entitled to receive credit for elapsed time while not incarcerated pursuant to §46-18-203(7)(b), MCA. Denial of elapsed time was based on Defendant's failure to comply with terms and conditions of the sentence while under supervision. Defendant was entitled to receive credit for pre-trial incarceration time served from April 7, 2015 through April 10, 2015 and July 23, 2015 through July 27, 2015.

On April 8, 2016, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant was present and was represented by Peter Ohman, of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

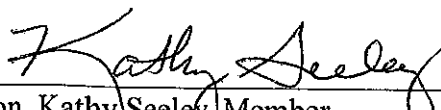
Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.


Done in open Court this 8th day of April, 2016.

DATED this 3 day of May, 2016.

SENTENCE REVIEW DIVISION

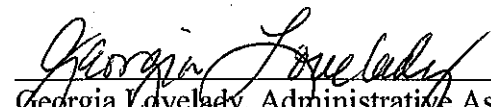

Hon. Brenda Gilbert, Chairperson


Hon. Kathy Seeley, Member


Hon. Brad Newman, Member

Copies mailed this 10th day
of May, 2016, to:

Clerk of District Court (Original)
Crystal Kay Skinner #3002196, Defendant (2)
Hon. Rod Souza
Peter Ohman, Defense Counsel
Ingrid A. Rosenquist, Esq.
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Administrative Assistant
Sentence Review Division